Attorney Docket No. 10991153-11

Title: FLUID EJECTION DEVICE AND METHOD OF MANUFACTURE

### **REMARKS**

Claims 1, 11, 21, 23, 25, and 26 are currently amended. Applicant respectfully submits that the amendments herein are fully supported by the Specification as originally filed and do not include new matter.

#### Examiner's Interview

Applicant's representatives respectfully thank Examiner Brooke for the courtesy of discussing claims 1, 11, and 21, as amended above, in a telephonic interview on February 15, 2005, initiated by Applicant's representatives. The Examiner indicated that claims 1, 11, and 21, as amended above, would likely overcome Komuro (U.S. Patent No. 6,099,109).

## Claim Rejections Under 35 U.S.C. § 102

Claims 1-7, 9, 11, 13, 14, 21, 22, and 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Komuro (U.S. Patent No. 6,099,109). Applicant respectfully traverses.

Claims 1 and 11, as currently amended, each include, amongst other things, a carrier having an upper surface that defines a recess including first and second inner surfaces that are substantially parallel to the upper surface and that are located at different distances below the upper surface, where the first and second inner surfaces face in the same direction as the upper surface. This is different from Komuro in that the Examiner indicated one inner surface of a molded member 103 (see Figure 5B) that engages a bottom portion of a supporting member 102 as corresponding to the second inner surface of claim 1 or 11 and another surface of molded member 103 that engages an upper portion of supporting member 102 as corresponding to the first inner surface of claim 1 or 11. However, the surface of molded member 103 identified by the Examiner as corresponding to the first surface of claim 1 or 11 does not face in the same direction as an upper surface that defines a recess, as in claim 1 or 11. Therefore, Komuro does not include each and every recitation of claim 1 or 11, so claims 1 and 11 should be allowed.

Claims 2-7 and 9 depend from claim 1 and are thus allowable for at least the same reason as claim 1. Claims 13-14 depend from claim 11 and are thus allowable for at least the same reason as claim 11. Therefore claims 2-7 and 9 and claims 13-14 should be allowed.

Claim 21, as currently amended, includes, amongst other things, a carrier including a first surface including a recess therein, the recess including first and second inner surfaces

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that are substantially parallel to and at different distances from the first surface, where the first and second inner surfaces face in the same direction as the first surface. This is different from Komuro in that the Examiner indicated one inner surface of a molded member 103 (see Figure 5B) that engages a bottom portion of a supporting member 102 as corresponding to the second inner surface of claim 21 and another surface of molded member 103 that engages an upper portion of supporting member 102 as corresponding to the first inner surface of claim 21. However, the surface of molded member 103 identified by the Examiner as corresponding to the first surface of claim 21 does not face in the same direction as a first surface that includes a recess therein, as in claim 21. Therefore, Komuro does not include each and every recitation of claim 21, so claim 21 should be allowed.

Claims 22 and 24 depend from claim 21 and are thus allowable for at least the same reason as claim 21. Therefore claims 22 and 24 should be allowed.

### Claim Rejections Under 35 U.S.C. § 103

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Komuro (U.S. Patent No. 6,099,109) in view of Tellier (4,899,178).

Claim 11, as currently amended, is patentably distinct from Komuro. Moreover, Komuro in combination with Tellier fails to overcome the deficiencies of Komuro with respect to claim 11. Therefore, claim 11 is allowable over Komuro in view of Tellier. Claim 12 depends from claim 11 and thus is allowable for at least the same reason as claim 11. Therefore, claim 12 is allowable over Komuro in view of Tellier.

#### Allowable Subject Matter

Applicant respectfully acknowledges that claims 15-17 are allowed.

Claims 23, 25, and 26 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicant has amended claims 23, 25, and 26 as suggested. Applicant thus respectfully requests reconsideration and withdrawal of the objection, and allowance of claims 23, 25, and 26.

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# **CONCLUSION**

In view of the above remarks, Applicant respectfully submits that the claims are in condition for allowance and requests reconsideration of the application and allowance of the claims. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2208.

Respectfully submitted,

Date: 02-15-05

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